

Safety, Health, and Employee Assistance Program (EAP)

Chapter 12-Highlights

The Coast Guard Safety and Health Policy. On-The-Job Injuries.

The Coast Guard Policy on Alcoholism and Drug Abuse Coast Guard Civilian

Employee Assistance Program (EAP).

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The Coast Guard Safety And Health Policy

It is the policy of the Coast Guard to provide for the occupational safety and health of personnel to prevent accidental loss of material resources, and to avoid interruptions to essential services resulting from accident and fire. Included is the protection of visitors, the general public, and their property against injury and loss when on Coast Guard property or as they are affected by Coast Guard operations.

The Commandant has designated Safety and Health staff throughout the Coast Guard to administer and implement the safety and health policy. While Districts, MLC's, groups and units have Safety Supervisors to administer the safety and health policy, supervisors are also responsible for assuring a safe working environment.

You may obtain additional information from COMDTINST M5100 or your unit Safety Supervisor. However, as a minimum, you should:

- Ensure you and your employees comply with Occupational Safety and Health Standards in your workplace and wear protective equipment as required by applicable standards.
- Ensure that established Coast Guard procedures are in place for employees to report unsafe or unhealthy working conditions and request an inspection.
- Ensure you and your employees conduct periodic workplace inspections and assist Safety Supervisors during inspections of the workplace.
- Post notices of unsafe or unhealthy working conditions and take corrective action to abate hazardous conditions or practices.
- Make employees aware of unit safety and health committees (where established).
- Train employees on their responsibilities to comply with occupational safety and health standards of the Department of Labor, DHS, and Coast Guard standards where applicable to his or her workplace.
- Ensure that employees have access to copies of Coast Guard standards and injury and illness statistics.
- Ensure that employees have the opportunity to comment on proposed Coast Guard standards.
- Ensure that employees know they may appeal any disposition of an unsafe or unhealthy condition after exhausting all means in the chain of command by writing to: The Office of Federal Agency Safety and Health Programs, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.
- Ensure that employees face no reprisal as a result of participation in Safety and Health activities.
- Ensure that employees know the name and phone number of the unit Safety Supervisor or other safety officials in the chain of command.

On The Job Injuries

When an employee is injured on the job or incurs an occupational disease, the Government provides certain medical and salary continuation benefits. Basically, the Government will pay for all reasonable medical costs directly related to the injury. The employee who has a traumatic injury is entitled to continuation of full salary for up to 45 days with no charge to leave.

If at the end of the 45 days the employee still is unable to work, the Government will pay compensation at a rate of two thirds of the employee's basic salary for employees without dependents or three-fourths of the basic salary for employees with dependents. If there is a permanent disability, other payments may be allowed.

To qualify for on-the-job injury benefits, the employee must meet the following criteria:

- The employee must be injured on the job (i.e., at the duty station and worksite). Injuries incurred traveling to and from work are not covered, but injuries incurred while on TAD are covered.
- The injury may not be the result of misconduct or intoxication.
- The injury must be reported as soon as possible.

When an injury occurs, the following steps should be taken:

1. Obtain the necessary medical treatment. The supervisor should send Form CA-16 (Request for Examination and/or Treatment) with the employee to authorize treatment for the on-the-job injury at the medical facility. If the form is not available, or if the emergency does not allow time, the form should be filed within 48 hours of the injury.
2. The employee should report the accident to the supervisor on Form CA-1 (Federal Employee's Notice of Traumatic Injury and Claim for Continuation of Pay/Compensation) or Form CA-2 (Notice of Occupational Disease and Claim for Compensation). These forms should be completed as soon as possible after the injury, normally within 3 workdays.
3. When the injury causes the employee to miss work beyond the shift in which the injury occurred, or if there are charges for medical treatment, additional reports on Form CA-20 (Attending Physician's Report) will be necessary.
4. Other forms may be necessary depending on how long the disability continues.
5. In all cases, your servicing Civilian Personnel Office should be contacted for assistance in the above procedures.

The Coast Guard Policy On Alcoholism And Drug Abuse

The Coast Guard recognizes that alcoholism and drug abuse are treatable health problems and that those who become chemically dependent can frequently recover with help.

- The Coast Guard is especially concerned with an individual's decision to use alcohol or drugs when that choice interferes with the safe and efficient performance of assigned duties; has an adverse effect on personal dependability or behavior; is a criminal violation; reflects discredit upon the Coast Guard.
- Instances of prior alcoholism or drug abuse shall not constitute sufficient grounds for refusal of employment, provided that sufficient evidence of recovery exists.
- An employee whose job performance is determined to be impaired by alcoholism or drug abuse shall receive the same careful consideration and offers of assistance that are presently extended to employees having any other illness or health problem. Sick leave, annual leave, or leave without pay shall be granted in accordance with governing regulations for the purpose of treatment or rehabilitation.
- A voluntary request for assistance through this program shall not, in and of itself, jeopardize continued service, job security, or promotion opportunity unless the employee refuses the assistance offered or, in the case of a critical, sensitive position, without careful consideration of all circumstances.
- Employees who seek help under the provisions of this program, upon return to assigned duties, shall be reinstated in their prior positions unless the employee's illness has rendered him or her medically disabled for the performance of the duties of that prior position.
- Administrative actions shall be carried out in accordance with established policy on conduct and discipline when:
 - an employee's job performance has been determined to be impaired;
 - an employee refuses an offer of treatment or rehabilitation under this program; or
 - an employee declines to undergo an evaluation.
- Nothing in these policy statements is to be construed as condoning illegal activity or disciplinary infractions, or prohibiting removal of an employee who cannot function properly in their positions. The provisions of the program are designed to supplement, but not replace, procedures for dealing with problem employees.
- The use of factual education as a problem-preventive measure is strongly encouraged. Supervisors should avail themselves of whatever educational services are available regarding the nature, effects, and ramifications of alcohol and drug abuse.

Coast Guard Civilian Employee Assistance Program (EAP), COMDTINST 12792.1D

People who have problems with family finances, emotional upsets, alcohol, and drugs work at all levels of the Government, from the executive suite to the janitorial group. The early symptoms of such problems are disarmingly subtle but, sooner or later, they show up on the job either in the form of deteriorating performance or behavior. Accepting the fact that you have an employee with alcohol or drug problems is very hard for a supervisor to face. If the skills are there, and previous performance has been good but is now slipping, and your supervisory efforts haven't helped the situation, the chances are that you have an employee with a problem which may require professional help.

The EAP is designed to help employees with alcohol, drug or other problems which may hurt their performance or behavior. The EAP program is required by law, and the law is very clear in its meaning that the Federal Government considers alcoholism, drug abuse, and some emotional difficulties as health problems. Employees with these problems should be given the opportunity to recover. They deserve the same consideration and offer of assistance as an employee with a broken leg or any other temporary physical problem. Employees whose use of alcohol or drugs cause performance or behavioral problems should be offered rehabilitative assistance as an alternative to, or concurrent with, discipline. If the employee refuses help or otherwise can't improve performance or correct improper behavior, use the regular disciplinary procedures (Chapter 8).

As you are well aware, supervision requires a **constant** interplay in which you establish standards and monitor performance and behavior. When an otherwise capable employee frequently fails to meet your expectations, that employee may need help. But first, you need it. And the first step we recommend is to call the EAP Coordinator for assistance.

- This does not commit you to any action. The decision about whether to confront, refer, or take action against an employee remains yours. The advice you will receive will be just that-advice.
- Your discussion of the case with the Program Coordinator will be confidential.
- What you say will not be passed on to the employee, your supervisor, or anyone else, unless you reveal it, or allow the Coordinator to reveal it.
- Be prepared to discuss:
 - Job performance deficiencies which have become apparent to you, including absenteeism or lateness; and
 - Behavior including deteriorating relationships with others, personality changes, breaking work rules, or other behavioral manifestations.

After you have talked with the EAP Coordinator, you may decide to confront the employee and begin to get the matter straightened out. Here are some general guidelines:

- Keep accurate records of work and behavior performance, good points as well as bad. (You should be doing this for all of your employees anyway.) When you speak to the

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employee, you can't operate on the basis that you have a "vague feeling" that work is slipping.

- Once you have compiled the facts, don't delay or beat around the bush. Confrontation of the problem is essential to solving it. Remember:

- Employees have the **right** to know what you expect; and
- You have the right to expect that they will do what they were hired to do.
- Have an informal talk with the employee. Explain exactly how job performance or behavior is unsatisfactory and use your documentation to back up what you say.

Describe, don't evaluate. For example, you might say:

"Jane (John), I note that you have taken sick leave every Monday for seven weeks" rather than, "You must be drinking a lot on weekends to have a hangover every Monday."

Tell such employees that if they have a health or personal problem which may be causing this poor performance, you can refer them to someone who may help. Whether they get help or not is up to them, but be sure that they understand that with or without help, their work must improve or you will take some formal action.

- Be consistent. Once you have confronted an employee, follow through. If you said that formal action would be taken if there wasn't improvement; and there wasn't, take it. Employee commitments to help themselves hinge very strongly on your commitment to follow through on your end.
- Finally, don't wait for the last crisis; by then, you may be too late.

What kind of feedback can you expect, once you have referred an employee for help? Because the confidentiality between the employee and the Coordinator/Counselor must be maintained, specific details of the definition of the problem may never reach you. That information is confidential in the same way that an employee's medical record is confidential. However, with the employee's signed consent, you can generally expect answers to the following questions:

- Did the employee keep the appointment?
- Will additional sessions be needed?
- What can I do to help?

While that feedback will give you a general idea of the employee's progress, your best indicator will always be whether performance improves. Often, it will. If it doesn't, make the decision when to move into official discipline with the advice of the counselor. If the employee does not give the counselor written consent, the counselor cannot release any information about the case. In that event, you must proceed as if the employee "has not tried to get help," basing any decision you make solely on job performance. The decision to take administrative action is never easy. But sometimes, it's necessary. Sometimes, the kindest thing you can do is to pursue administrative disciplinary action when it is appropriate to do so. With some employees, that may be necessary before they fully understand and accept the need for them to cooperate.

Questions and Answers

1. Q. Who can use the Employee Assistance Program (EAP)?

A. All civilian employees and their immediate family members are eligible to use the EAP

2. Q. What does the Employee Assistance Program (EAP) Cost?

A. The initial assessment consultations are free for all employees and their immediate family members. Fees for continued counseling or treatment are paid by the employee and may be covered by insurance.

3. Q. An employee is going through a divorce action, is burdened with a sick child or other family problems. That employee can't get the work done. How can I correct performance and still be humane?

A. There really is no contradiction between correcting performance and being humane. In fact, insisting on acceptable performance may be the most humane thing you can do, if, **at the same time**, you offer the employee the assistance of persons who are designated and trained to help with such problems. Don't be taken in by forlorn looks and pleas for sympathy. Very often your firm insistence of performance, while offering trained assistance for personal problems, will stimulate the process of recovery for troubled employees.

4. Q. What do you really mean by "employee counseling," in the context of this chapter?

A. Employee counseling for you, the supervisor, involves assisting an employee to improve performance or to correct behavior either **directly** (using your skills) or **indirectly** (by referral to a competent resource). Don't try to counsel employees with serious personal problems, psychological, alcohol, or drug abuse problems. Use **the Employee Assistance Program (EAP)**.

5. Q. What action should I take when an employee is taking a prescription drug?

A. You must decide if the employee is capable of performing in a safe manner. This decision is made only if it is obvious to the supervisor that the medication has an impairing effect. If there is a question of whether or not the medication has an impairing effect, the supervisor should ask the employee to obtain verification from a physician. If the decision is made that the employee cannot perform safely, every effort should be made to accommodate the situation by temporarily assigning duties of a non-safety nature. If requested, the employee may be placed in an appropriate leave category. If the employee cannot be assigned non-safety related duties and the employee does not request leave, the servicing Civilian Personnel Office should be contacted immediately for assistance.

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6. Q. What kind of leave should I grant (if any) to an employee who requests leave for an alcohol or drug problem?

A. You **must** grant sick leave (provided it is available) for treatment or rehabilitation as in any other illness. If the employee has used up available sick leave, you must decide whether to advance sick leave (considering Coast Guard policy and the circumstances of the case). In the absence of available sick leave, the employee may also request Leave Without Pay (LWOP). Administrative leave may be granted for visits to an EAP Coordinator or Counselor, again based upon policy and the facts of the case. An employee who is absent from the job, who is not in treatment, and who has not been granted annual, sick, or administrative leave, in advance, should be placed on Absence Without Leave (AWOL) (See Chapter 4.)

7. Q. Who is responsible for training employees on the USCG Safety and Health Policy?

A. You, the supervisor is responsible for training your employees and providing them with the name and phone numbers for Safety Supervisors and other safety officials.

8. Q. What Coast Guard procedures are available to report hazardous conditions?

A. CG-4093 (Employee Hazard Report Form or CG-5082) or (Hazardous Condition Notification Form).

9. Q. What reprisal or coercive actions can the supervisor take to prevent an employee from reporting an accident?

A. None. The supervisor must ensure that the employee faces no reprisal as a result of participation in safety and health activity.

10. Q. How do I contact the Employee Assistance Program?

A. The Employee Assistance Program can be reached by calling 1-800-222-0364, 24 hours a day, and seven days a week.